

# House File 2567

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1 3 AN ACT  
1 4 REGULATING THE TRANSPORTATION OF ANIMAL CARCASSES, PROVIDING  
1 5 FOR FEES AND PENALTIES, AND PROVIDING FOR AN EFFECTIVE DATE.  
1 6  
1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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1 9 Section 1. Section 167.4, Code 2003, is amended by  
1 10 striking the section and inserting in lieu thereof the  
1 11 following:  
1 12 167.4 LICENSING PROCEDURE == FEES.  
1 13 The following shall apply to a person required to be  
1 14 licensed under this chapter:  
1 15 1. The person shall submit an application for a license to  
1 16 the department in a manner and according to procedures  
1 17 required by the department.  
1 18 2. The person shall include in the application information  
1 19 as required by the department, on forms prescribed by the  
1 20 department, which shall include at least all of the following:  
1 21 a. For a disposal plant, the person shall state the  
1 22 person's name and address, the person's proposed place of  
1 23 business, and the total number of vehicles to be involved in  
1 24 the operation.  
1 25 b. For a collection point involving the accumulation of  
1 26 whole animal carcasses or their parts for ultimate  
1 27 transportation to a disposal plant, the person's name and  
1 28 address, the person's proposed place of business, and the  
1 29 total number of vehicles to be involved in the operation.  
1 30 c. For a delivery service which transports whole animal  
1 31 carcasses or their parts to a disposal plant or collection  
1 32 point, the person's name and address, the total number of  
1 33 vehicles to be involved in the operation, and the location  
1 34 where the vehicles involved in the operation are to be  
1 35 maintained.  
2 1 3. The person shall submit a separate application for each  
2 2 location that the person is to operate a disposal plant,  
2 3 collection point, or a delivery service.  
2 4 4. The person shall submit a license fee as follows:  
2 5 a. For a disposal plant, one hundred dollars.  
2 6 b. For a collection point, one hundred dollars. However,  
2 7 a person is not required to pay the license fee for a  
2 8 collection point which is operated by a disposal plant.  
2 9 c. For a delivery service which is not part of the  
2 10 operation of a disposal plant or collection point, fifty  
2 11 dollars.  
2 12 5. A license issued under this section shall expire on  
2 13 December 31 of each year. The person may renew the license by  
2 14 completing a renewal form as prescribed by the department in a  
2 15 manner and according to procedures required by the department.  
2 16 However, the renewal form must be submitted to the department  
2 17 prior to the license's expiration date. The person shall  
2 18 submit a renewal license fee which shall be for the same  
2 19 amount as the original license fee.  
2 20 Fees collected pursuant to this section shall be deposited  
2 21 into the general fund of the state.  
2 22 6. A person's license is subject to suspension or  
2 23 revocation by the department if the department determines that  
2 24 the person has committed a material violation of this chapter,  
2 25 including rules adopted by this chapter, or a term or  
2 26 condition of the license. The person may contest the  
2 27 department's action as provided in chapter 17A.  
2 28 Sec. 2. Section 167.15, Code 2003, is amended by striking  
2 29 the section and inserting in lieu thereof the following:  
2 30 167.15 TRANSPORTATION OF ANIMALS == CARCASSES OR PARTS.  
2 31 1. A person required to be licensed under section 167.4  
2 32 shall transport a whole or part of an animal carcass or offal  
2 33 material according to requirements adopted by departmental  
2 34 rule.  
2 35 a. The delivery vehicle's container used for loading and  
3 1 transporting the carcass or offal material shall be  
3 2 constructed according to departmental rules in a manner that  
3 3 prevents parts or liquids associated with the carcass or offal  
3 4 material from escaping during transport.  
3 5 b. The department shall adopt rules requiring that the

3 6 delivery vehicle's container be covered when transporting an  
3 7 animal carcass or offal material. However, this requirement  
3 8 shall not apply to a route delivery vehicle used primarily to  
3 9 transport animal carcasses from a farm to another location,  
3 10 unless the department issues a special order as provided in  
3 11 this paragraph. The department may issue such an order and  
3 12 require that the delivery vehicle's container be covered, if  
3 13 the state veterinarian determines that an animal or animal  
3 14 carcass on the farm has been infected or exposed to an  
3 15 infectious or contagious disease or that there has been an  
3 16 outbreak of an infectious or contagious disease in the area  
3 17 where the farm is located.

3 18 c. The person shall not overload the delivery vehicle's  
3 19 container with carcasses or offal material.

3 20 2. The department shall provide for the inspection of  
3 21 delivery vehicles used to transport carcasses or offal  
3 22 material, disposal plants, collection points, or other  
3 23 locations in which carcasses or offal material is stored or  
3 24 processed before being delivered to a disposal plant.

3 25 Sec. 3. Section 167.19, Code 2003, is amended to read as  
3 26 follows:

3 27 167.19 PENALTY.

3 28 ~~The violation of any of the provisions of A person who~~  
3 29 ~~violates this chapter or any a rule adopted thereunder by the~~  
3 30 ~~department shall be pursuant to this chapter is guilty of a~~  
3 31 ~~simple misdemeanor. The person may be subject to a civil~~  
3 32 ~~penalty of not less than one hundred dollars and not more than~~  
3 33 ~~one thousand dollars for each violation. However, the state~~  
3 34 ~~shall be precluded from bringing a criminal action against the~~  
3 35 ~~person if the department has initiated a civil enforcement~~  
4 1 ~~proceeding. Moneys collected in civil penalties shall be~~  
4 2 ~~deposited into the general fund of the state.~~

4 3 Sec. 4. NEW SECTION. 167.22 CHRONIC WASTING DISEASE.

4 4 1. As used in this section "chronic wasting disease" means  
4 5 the same as defined in section 170.1.

4 6 2. Except as otherwise provided in this subsection, a  
4 7 person licensed under this chapter shall not transport the  
4 8 carcass of a deer or elk into this state if the carcass  
4 9 originates from an area outside this state that has a  
4 10 significant prevalence of chronic wasting disease as  
4 11 determined by the state veterinarian. In order to transport  
4 12 the carcass into this state, the person must obtain approval  
4 13 by the state veterinarian in a manner and according to  
4 14 procedures required by the department.

4 15 Sec. 5. Sections 167.6, 167.9, and 167.10, Code 2003, are  
4 16 repealed.

4 17 Sec. 6. EFFECTIVE DATE. Section 4 of this Act, being  
4 18 deemed of immediate importance, takes effect upon enactment.

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CHRISTOPHER C. RANTS  
Speaker of the House

JEFFREY M. LAMBERTI  
President of the Senate

I hereby certify that this bill originated in the House and  
is known as House File 2567, Eightieth General Assembly.

MARGARET THOMSON  
Chief Clerk of the House

Approved \_\_\_\_\_, 2004

THOMAS J. VILSACK  
Governor